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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

April 9, 2014

CERTIFIED MAIL RETURN RECEIPT
7011 2970 0001 8828 2228

Kevin Butters
Towers Sand and Gravel, LLC
760 North Harrisville Road
Harrisville, Utah 84404

Subject: Division Directive to Update Operations Plan, C. E. Butters Realty and Construction, Towers Sand and Gravel Mine, M/057/0006, Weber County, Utah

Dear Mr. Butters:

On April 2, 2014, the Division of Oil, Gas and Mining inspected the referenced mining operation. The inspection documented certain industrial activities being conducted within the permit area that are not adequately described or otherwise accounted for in the operations portion of the Notice of Intention to Conduct Large Mining Operations (NOI). These activities include stockpiling of non-mine produced materials for recycling, such as waste concrete slab and curbing, waste asphalt paving, and road base material with inclusions of waste asphalt. In addition, two areas are being used as remediation landfarms for contaminated soils.

The Division inspector discussed these issues with Tyson Butters, the on-site supervisor present for the inspection. He said the waste concrete, asphalt and gravel materials were to be recycled into saleable products. The rebar and steel scrap was to be separated from the waste concrete and taken or sold to a scrap metal recycler.

He indicated the landfarmed topsoil had been sampled, and analysis found that contaminant levels had been reduced to minimum standards for consideration as clean soils. The soils would be screened to remove the coarse gravel material to be sold as product. The landfarmed area in the southwest portion of the site was laid on top of salvaged topsoil from the mine that had been reseeded. Whether it remains there or is removed, the area should be reseeded again. There was some uncertainty as to what would be done with the screened soil. The Division inspector, Mike Bradley, indicated that the soil could be stored on site for later use during reclamation when mining was complete or sold as product. The stored topsoil from the development could also be used as reclamation topsoil, as stated in the NOI, or sold.

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The NOI briefly mentions recycling in Section 106.2: “. . . and also recycling.” Since, however, this activity could include potentially deleterious materials, and since it could also increase the reclamation liability, the Division requires that this activity and locations be addressed in more detail. Any future industrial activities conducted within the mine disturbed area, such as the “future portable concrete and portable asphalt plants,” needs to be described in an amendment to this portion of the NOI prior to these activities taking place.

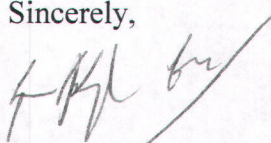
By June 1, 2014, Towers Sand and Gravel LLC is hereby directed to:

1. Provide two copies of an updated operations section of the NOI (Section 106.2) that documents the non-mining activities described previously. Include statements describing what the final disposition of these waste materials will be and what measures will be needed to remove any excess recyclable waste materials and provide for proper reclamation of these areas.
2. Provide two sets of updated maps that delineate the locations and extent of areas where these activities will be conducted. These maps should include locations set aside for stockpiling and any additional equipment and/or facilities that may be required to process these recycled materials. Also show locations where imported topsoil is stored. When reviewed and approved by the Division, one copy will be stamped “approved” and returned to you for your records.

Alternatively, you may remove these materials and cease conducting recycling activities at the mine.

Thank you in advance for your prompt attention to this matter. Please contact Mike Bradley at 801-538-5332 or me at 801-538-5261 if you have questions regarding this letter.

Sincerely,



Paul B. Baker
Minerals Program Manager